

Serial No. 09/538,396
TC/A.U. 1638

Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application.

Listing of Claims:

1. (Cancelled)
2. (Previously Presented) A recombinant expression cassette, comprising the polynucleotide of claim 19 operably linked to a promoter.
3. (Previously Presented) A host cell transformed with the polynucleotide of claim 19.
4. (Previously Presented) A transgenic plant comprising the polynucleotide of claim 19.
5. (Original) The transgenic plant of claim 4, wherein said plant is a monocot.
6. (Original) The transgenic plant of claim 4, wherein said plant is a dicot.
7. (Previously Presented) The transgenic plant of claim 4, wherein said plant is selected from the group consisting of maize, soybean, sunflower, sorghum, canola, wheat, alfalfa, cotton, rice, barley, and millet.
8. (Previously Presented) A transgenic seed from the transgenic plant of claim 4 wherein the seed comprises the polynucleotide.
- 9-18. (Cancelled)

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19. (Currently Amended) An isolated polynucleotide comprising a polynucleotide selected from the group consisting of:
- (a) the ~~polynucleotide~~ polynucleotide of SEQ ID NO: 1; and
 - (b) a polynucleotide which is fully complementary to the polynucleotide of (a).
20. (Currently Amended) An isolated polynucleotide comprising a polynucleotide selected from the group consisting of:
- (a) a ~~polynucleotide~~ polynucleotide encoding a polypeptide having at least 95% sequence identity over its entire length to SEQ ID NO: 2, as determined by the GAP program under default parameters, wherein the encoded polypeptide binds to a MRE11 polypeptide; and,
 - (b) a polynucleotide which is fully complementary to the polynucleotide (a).
21. (Cancelled)
22. (Previously Presented) The isolated polynucleotide of claim 20, wherein the polynucleotide encodes the polypeptide of SEQ ID NO: 2.
23. (Previously Presented) A recombinant expression cassette comprising the polynucleotide of claim 20 operably linked to a promoter.
24. (Previously Presented) A host cell transformed with the polynucleotide of claim 20.
25. (Previously Presented) The host cell of claim 24, wherein the host cell is a plant cell.

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26. (Previously Presented) A transgenic plant comprising the polynucleotide of claim 20.
27. (Previously Presented) The transgenic plant of claim 26, wherein said plant is a monocot.
28. (Previously Presented) The transgenic plant of claim 26, wherein said plant is a dicot.
29. (Previously Presented) The transgenic plant of claim 26, wherein said plant is selected from the group consisting of maize, soybean, safflower, sunflower, sorghum, canola, wheat, alfalfa, cotton, rice, barley, and millet.
30. (Previously Presented) A transgenic seed from the transgenic plant of claim 26 wherein the seed comprises the polynucleotide.
- 31-39. (Cancelled)